



## **Board of Zoning Appeals**

601 Lakeside Avenue, Room 516

Cleveland, Ohio 44114-1071

[Http://planning.city.cleveland.oh.us/bza/cpc.html](http://planning.city.cleveland.oh.us/bza/cpc.html)

216.664.2580

**FEBRUARY 5, 2018**

**9:30**

**Calendar No. 18-001:**

**15708 Lorain Avenue**

**Ward 17**

**Martin J. Keane**

**19 Notices**

HKM, owner, proposes to establish use of front portion of existing, non-conforming site as a retail yarn sales and dying establishment in a C2 Local Retail Business District and a Pedestrian Retail Overlay District. The owner appeals for relief from the strict application of Section 349.04 of the Cleveland Codified Ordinances which states that retail sales use requires parking at the rate of one per 500 square feet; with reduction of 1/3 required parking due to Pedestrian Retail Overlay District (zoning Code section 343.23(i) 2 new parking spaces are required and no additional parking spaces are provided. The site exists, non-conforming in parking by virtue of variance granted in BZA Calendar No. 16-308. (Filed January 4, 2018)

**9:30**

**Calendar No. 18-002:**

**3098 E. 65 St./Violation  
Notice**

**Ward 5**

**Phyllis Cleveland**

Michelle M. Grida Trustee, owner, and Narbin Cross, tenant appeal under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from Notice of Violation Number V17043121 issued on November 28, 2017 by the Cleveland Department of Building and Housing(received by mail on December 6, 2017) for failure to comply with Section 327.02(c) of the Cleveland Codified Ordinances which states that there shall be no change, substitution or extension in the use of any building or premises until the required use permit and Certificate of Occupancy has been issued by the Division of Building and Housing and section 349.08 which states that screening is required on a lot that is adjacent to a residence district or that adjoins a building containing residential units. (Filed January 4, 2018).

**9:30**

**Calendar No. 18-003:**

**5507 Harvard Avenue**

**Ward 12**

**Anthony Brancatelli**

**11 Notices**

Newburg Heights, owner, proposes to erect a 5' x 6.5' eight foot tall double faced non-illuminated ground sign in a C2 General Retail Business District. The owner appeals for relief from the strict application of Section 350.14(b) of the Cleveland Codified Ordinances which states that the maximum square footage allowed for an informational sign is 4 square feet and the appellant is proposing 32.5 feet. This section also states that the maximum height allowed is 3 feet and the appellant is proposing 8 feet. (Filed January 5, 2018)

**THE FOLLOWING 5 CASES INVOLVING TOWNHOUSES ON MARQUARDT HAVE BEEN POSTPONED TO MARCH 5, 2018 AT THE REQUEST OF THE APPELLANT:**

**9:30**

**Calendar No. 18-005:**

**506 Marquardt Ave.**

**Ward 3**

**Kerry McCormack**

**20 Notices**

Cleveland Bricks, owner, proposes to erect a 2,722.5 square foot, three story, 32 feet tall single family townhouse on a 1,960 square foot lot in a B1 Two Family Residential District. The owner appeals for relief from the strict application of the following sections of the Codified Ordinances:

1. Section 355.04 which states that in a "B" Area District the maximum gross floor area is limited to ½ the lot size and a 4,800 square foot lot is required.
2. Section 357.09(a) which states that the interior side yard must be equal to ¼ the height of the main building, and no building may be within 10 feet of another main building on abutting residential lot and no interior side yard is proposed.
3. Section 357.08(b) which states that a rear yard in the amount of the height of the building is required and approximately 16 feet are provided. (Filed January 8, 2018)

**9:30**

**Calendar No. 18-006:**

**508 Marquardt Ave.**

**Ward 3**

**Kerry McCormack**

**20 Notices**

Cleveland Bricks, owner, proposes to erect a 2,032.3 square foot, three story, 32 feet tall single family townhouse on a 1,274 square foot lot in a B1 Two Family Residential District. The owner appeals for relief from the strict application of the following sections of the Codified Ordinances:

1. Section 355.04 which states that in a "B" Area District the maximum gross floor area is limited to ½ the lot size and a 4,800 square foot lot is required. This section also states that a minimum lot width of 40 feet is required.
2. Section 357.09(a) which states that the interior side yard must be equal to ¼ the height of the main building, and no building may be within 10 feet of another main building on abutting residential lot and no interior side yard is proposed.
3. Section 357.08(b) which states that a rear yard in the amount of the height of the building is required and approximately 16 feet are provided. (Filed January 8, 2018)

**9:30**

**Calendar No. 18-007:**

**510 Marquardt Ave.**

**Ward 3**

**Kerry McCormack**

**20 Notices**

Cleveland Bricks, owner, proposes to erect a 2,032.3 square foot, three story, 32 feet tall single family townhouse on a 1,274 square foot lot in a B1 Two Family Residential District. The owner appeals for relief from the strict application of the following sections of the Codified Ordinances:

1. Section 355.04 which states that in a "B" Area District the maximum gross floor area is limited to ½ the lot size and a 4,800 square foot lot is required. This section also states that a minimum lot width of 40 feet is required.
2. Section 357.09(a) which states that the interior side yard must be equal to ¼ the height of the main building, and no building may be within 10 feet of another main building on abutting residential lot and no interior side yard is proposed.
3. Section 357.08(b) which states that a rear yard in the amount of the height of the building is required and approximately 16 feet are provided. (Filed January 8, 2018)

**9:30**

**Calendar No. 18-008:**

**512 Marquardt Ave.**

**Ward 3**

**Kerry McCormack**

**20 Notices**

Cleveland Bricks, owner, proposes to erect a 2,536 square foot, three story, 32 feet tall single family townhouse on a 1,715 square foot lot in a B1 Two Family Residential District. The owner appeals for relief from the strict application of the following sections of the Codified Ordinances:

1. Section 355.04 which states that in a "B" Area District the maximum gross floor area is limited to ½ the lot size and a 4,800 square foot lot is required. This section also states that a minimum lot width of 40 feet is required.
2. Section 357.09(a) which states that the interior side yard must be equal to ¼ the height of the main building, and no building may be within 10 feet of another main building on abutting residential lot; side yards equaling zero feet and 5 feet are proposed.
3. Section 357.08(b) which states that a rear yard in the amount of the height of the building is required and approximately 16 feet are provided. (Filed January 8, 2018)

**9:30**

**Calendar No. 18-009:**

**514 Marquardt Ave.**

**Ward 3**

**Kerry McCormack**

**20 Notices**

Cleveland Bricks, owner, proposes to erect a 2,155.5 square foot, three story, 32 feet tall single family townhouse on a 1,372 square foot lot in a B1 Two Family Residential District. The owner appeals for relief from the strict application of the following sections of the Codified Ordinances:

1. Section 355.04 which states that in a "B" Area District the maximum gross floor area is limited to ½ the lot size and a 4,800 square foot lot is required. This section also states that a minimum lot width of 40 feet is required and that a minimum street frontage of 25 feet is required; no street frontage proposed.
2. Section 357.09(a) which states that the interior side yard must be equal to ¼ the height of the main building and 3 foot interior side yards are proposed.
3. Section 357.08(b) which states that a rear yard in the amount of the height of the building is required and approximately 10 feet are provided. (Filed January 8, 2018)

**9:30**

**Calendar No. 18-013:**

**11009 Woodland Ave.**

**Ward 6**

**Blaine A. Griffin**

**11 Notices**

Matthew Supler, owner, proposes to expand use of existing warehouse by erecting an addition in a C2 Local Retail Business District. The owner appeals for relief from the strict application of the following sections of the Codified Ordinances:

1. Section 343.01 which states that warehouse use is not permitted in Local Retail Business District but first permitted in Semi-Industry District.
2. Section 359.01(a) which states that an addition or expansion of a nonconforming use requires BZA approval.
3. Section 349.04 which states that on off-street parking space is required for the new addition and no additional parking is proposed. (Filed January 12, 2018)

**POSTPONED FROM OCTOBER 30, 2017**

**9:30**

**Calendar No. 17-208:**

**12603 Buckeye Road**

**Ward 6**

**Blaine A. Griffin**

**27 Notices**

Sunnah and Carlin McNary, owners, propose to add truck rental use to an existing, non-conforming barber shop use in a C2 Residence Office District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified

1. Section 337.10 which states that truck rental use for vehicles exceeding six thousand (6,000) pounds of gross vehicle weight not permitted in Residence Office District but first permitted in Semi- Industry District per 343.11(b)(2)(I)(4) and section 345.03(c)(1).
2. Section 327.02 which states that a scaled, dimensioned site plan showing all features of the property including parking spaces, lot lines, and landscaping, among other features, is required for review.
3. Section 341.02(a) which states that City Planning approval is required for any permit affecting exterior site design in a design review district. (Filed July 5, 2017-Testimony taken) *SECOND POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT TO ALLOW FOR MORE TIME TO SUBMIT CONSOLIDATION PLAN. FIRST POSTPONEMENT MADE AT THE REQUEST OF CITY PLANNING COMMISSION TO ALLOW FOR TIME FOR A CONSOLIDATION PLAN TO BE SUBMITTED.*

**POSTPONED FROM JANUARY 2, 2018**

**9:30**

**Calendar No. 17-360:**

**2408 Holmden Avenue**

**Ward 14**

**Jasmin Santana**

**26 Notices**

Alpha Delivery LLC. , owner, and Maedi Hafez, prospective purchaser, propose to establish use as Motor Vehicle Sales Facility in a C2 Local Retail Business District and a Pedestrian Retail Overlay District. The owner appeals for relief from the strict application of Section of the following sections of the Cleveland Codified Ordinances:

1. Section 343.01(b) which states that Motor vehicle sales facility is not permitted in Local Retail Business District first but permitted in General Retail Business District.
2. Section 352.08 through 352.012 which states that a six foot wide landscaping strip is required where parking lot abuts street. A ten foot wide landscaped transition strip is required where lots abuts residential district.
3. Sections 349.07 and 325.03 which state that accessory parking spaces must be marked, must be at least 180 square feet and contain wheel or bumper guards.
4. Section 327.02 which states that a site plan containing property lines and parcel numbers is required. (Filed December 4, 2017-No Testimony) *FIRST POSTPONMENT MADE AT THE REQUEST OF THE DEVELOPMENT CORPORATION TO ALLOW FOR TIME FOR COMMUNITY REVIEW.*